

Application No.: Not Yet Assigned

Docket No.: PZ028P2C1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ruben et al.

Confirmation No.:

Application No.: Not Yet Assigned

Art Unit: N/A

Filed: May 21, 2004

Examiner: Not Yet Assigned

For: 97 Human Secreted Proteins

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AA-AH listed on the attached Form PTO/SB/08a/b.

Copies of references AA-AH were submitted by Applicants or cited by the Examiner in connection with U. S. Patent Application Serial No. 09/948,783, filed September 10, 2001, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the above-listed files for copies of reference(s) AA-AH.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants

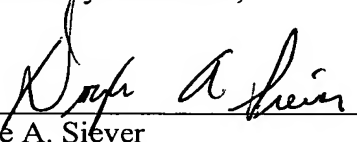
do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed reference(s) and that the reference(s) be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., Deposit Account No. 08-3425.

Dated: May 21, 2004

Respectfully submitted,

By   
Doyle A. Siever

Registration No.: 47,088  
HUMAN GENOME SCIENCES, INC.  
14200 Shady Grove Road  
Rockville, Maryland 20850  
(301) 354-3932

DAS/KKH/mr

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	Not Yet Assigned
				Filing Date	May 21, 2004
				First Named Inventor	Steven M. Ruben
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	PZ028P2C1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-09/912,293	Not Published	Rosen et al.	Pages 1-75 (pages 1 & 2 partial redacted); portion of Table 2; and SEQ ID NO:799
	AB	US-09/912,292	Not Published	Rosen et al.	pages 1-75 (pages 1 & 2 partially redacted); and SEQ ID NO:1281

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	AC	WO 92/05256	04/1992	Genetics Institute, Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*\*CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), daté, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	AD	STECK et al., "Chondrocyte expressed protein-68 (CEP-68), a novel human marker gene for cultured chondrocytes," Biochem. J. (Great Britain) 353:169-174 (2001).			
	AE	PEECK, et al., Cell, 50:667 (1987)			
	AF	SKOLNICK, et al., Nature Biotechnology, arch 2000, 18:283-287.			
	AG	GANONG, Review of Molecular Physiology, 17th edition, Appleton & Lange, pp. 220, 446 (1995).			
	AH	CREIGHTON, Proteins, Freeman & Co., pp. 70-73, Structures & Principles (1984).			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*\*CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--